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ELECTRONIC

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### DETAILED ACTION

1. This final Office action is responsive to Applicant's amendment filed July 5, 2012.  
Claims 1, 6, 30, and 33 have been amended.  
Claims 1, 4, 6-30, and 33-58 are presented for examination.

### *Response to Arguments*

2. Applicant's arguments filed July 5, 2012 have been fully considered but they are not persuasive.

On pages 15-16, Applicant attempts to disqualify Moss as prior art under 35 U.S.C. § 103(c). However, 35 U.S.C. § 103(c) states:

(1) Subject matter developed by another person, which qualifies as prior art only under one or more of subsections (e), (f), and (g) of **section 102** of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the claimed invention was made, owned by the same person or subject to an obligation of assignment to the same person.

The §103(c) exception does not apply to Moss since the publication date of Moss qualifies Moss as a §102(a) dated reference also. Moss is still valid prior art.

On page 17 of the response, Applicant argues that Lawlor and Moss would not require any software installation. The Examiner reminds Applicant that the claims are rejected under 35 U.S.C. § 103. As admitted by Applicant, both Lawlor and Moss utilize software. Those of ordinary skill in the art at the time of Applicant's invention would

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have recognized the need to perform software installations (e.g., updates) when such an installation (update) is warranted. Otherwise, hardware devices can more quickly become obsolete and/or software may be more susceptible to coding errors over time without any means to fix problems that arise.

Regarding reliance on the Tarbox reference to further disclose the customization of a financial interface to a user's preferred language, Applicant argues that Tarbox is directed toward a card that stores preferences and therefore "Tarbox cannot teach that installed user software enables the personal computer to allow multiple customers to select from different languages." (Page 18 of Applicant's response) In response to Applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986). Lawlor, Moss, and Tarbox are all directed toward providing users with a transaction interface. Each reference contributes elements to make a transaction more convenient for a user. They are analogous art and their teachings are generally relevant to each other.

Many of Applicant's arguments refer to the Examiner's response to arguments presented in previous Office actions. The following reiterates some of the Examiner's positions defended in these previously presented arguments:

Applicant has not persuasively explained how the claimed personal computer operates any differently than Lawlor's computer operated by a person. Furthermore, in a method claim, the nature of any structural elements used to carry out the method only

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merit patentable weight when they manipulatively affect the steps of the method. At the very least, Lawlor's ATM terminal is a functional equivalent to a personal computer. The ATM terminal sent to a customer functions as a personal computer and is, thus, effectively a type of personal computer within the scope of Lawlor. Furthermore, *Ex parte Pfeiffer*, 135 USPQ 31 (BdPatApp&Int 1961) states, "As to the rejection of the claims on the prior art references, we do not agree with the appellant that such structural limitations as are not disclosed by the references should be given patentable weight. This argument is applicable to claims drawn to structure and not claims drawn to a method. **To be entitled to such weight in method claims**, the recited **structural limitations** therein **must affect the method** in a manipulative sense and not to amount to the mere claiming of a use of a particular structure, which, in our opinion, is the case here." In the instant invention, the type of terminal used does not affect the manipulative steps of the method.

Applicant has previously argued that Lawlor teaches away from the use of a personal computer. The fact that Lawlor creates a for-home-use ATM terminal that is sent to individuals for their personal use does not necessarily mean that these ATM terminals are not a type of personal computer. The ATM terminal operates as a computer and it is provided to an individual for personal use, thus making it a type of personal computer. The fact that Lawlor is attempting to improve upon previous uses of personal computers does not mean that Lawlor's resulting apparatus is not a type of personal computer, especially when the broadest reasonable interpretation is applied.

Applicant argues that neither Lawlor nor Moss discloses that the software is installed by a customer. Someone must have installed the software at some point. A “customer” is just a label for a person. The claims do not specify how the method is affected by the nature of the person doing the installation itself; therefore, clarification of who installed the software does not impart significant patentable weight on the claimed invention.

In conclusions, Applicant’s arguments are not persuasive.

***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 1, 30, and 57 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

There is no antecedent basis for “the installed user software” in step d of claim 1, especially since there is no previous recitation of “installed user software” or reference to the user software actively being installed.

There is no antecedent basis for “the installed user software” in element e of claim 30, especially since there is no previous recitation of “installed user software.” Claim 57 is dependent from claim 30 and inherits the same rejection.

Appropriate correction is required.

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1, 6-9, 11-14, 18, 20-30, 33-36, 38-43, 47, and 49-58 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lawlor et al. (U.S. Patent No. 5,220,501) in view of Moss et al. (U.S. Patent No. 5,485,370) and further in view of Tarbox (U.S. Patent No. 5,705,798).

Lawlor discloses:

[Claim 1] A method for providing remote access to financial services comprising the steps of:

a) providing at least one business host (col. 7, lines 5-36; col. 11, lines 43-55; col. 19, lines 37-53);

b) linking, over a network, a server to the business host, wherein the server contains infrastructure and business application software to access the business host (col. 7, lines 5-48; col. 11, lines 22-55; col. 21, lines 11-46);

c) linking, over a network, at least one automated teller machine (ATM) and at least one home banking terminal to the server, wherein the home banking terminal is a personal computer (Fig. 1A; col. 6, lines 56-60; col. 8, lines 6-61; col. 9, line 55 through col. 10, line 23; col. 10, lines 44-53; col. 11, lines 22-42 – The ATM terminal sent to a customer functions as a personal computer and is, thus, effectively a type of personal

computer within the scope of Lawlor. Furthermore, *Ex parte Pfeiffer*, 135 USPQ 31 (BdPatApp&Int 1961) states, "As to the rejection of the claims on the prior art references, we do not agree with the appellant that such structural limitations as are not disclosed by the references should be given patentable weight. This argument is applicable to claims drawn to structure and not claims drawn to a method. **To be entitled to such weight in method claims**, the recited **structural limitations** therein **must affect the method** in a manipulative sense and not to amount to the mere claiming of a use of a particular structure, which, in our opinion, is the case here." In the instant invention, the type of terminal used does not affect the manipulative steps of the method.);

d) providing user software for installation by a customer on the at least one home banking terminal and wherein the installed user software enables the computer to access the infrastructure and business software located on the server (col. 8, lines 20-31; col. 19, lines 37-53; col. 21, lines 11-46 – The terminal comes with at least enough software/programming instructions to automatically dial the central processor system. Interaction with the central processor system implies that the terminal receives further programming instructions. Someone must have installed the software at some point. The claim does not specify how the method is affected by the nature of the person doing the installation itself; therefore, clarification of who installed the software does not impart significant patentable weight on the claimed invention. It is further noted that the step of actually installing the software is not a positively recited step of the method);



e) displaying a first user interface on a screen of the ATM and displaying a second user interface on a screen of the home banking terminal, wherein the first user interface and the second user interface are substantially the same (col. 8, lines 6-66; col. 21, lines 11-46; col. 42, lines 18-38).

Regarding claim 1, Lawlor does not explicitly disclose that the customer is a customer of the business host and “wherein when installed by the customer the user software enables the personal computer to allow multiple customers of the business host to each select from different languages” (so that the user interface of the screen of the home banking terminal is displayed in the user selected language). Moss discloses a system that emulates remote banking functions on a home terminal using an intelligent terminal emulator. Based on the language determined to be preferred by the home user, the appropriate ATM-related software in the desired language is downloaded from the host and executed on the home banking terminal of each respective user (Fig. 17; col. 4, lines 26-59; col. 5, lines 6-60; col. 6, lines 45-48; col. 7, line 4 through col. 8, line 39; col. 14, lines 40-61; col. 17, line 60 through col. 18, line 5; col. 29, line 43 through col. 30, line 35). Both Lawlor and Moss seek to provide users with remote access to banking functions and Lawlor refers to multiple users accessing the network (Figs. 1, 1A, 2); therefore, the Examiner submits that it would have been obvious to one of ordinary skill in the remote banking art at the time of Applicant's invention to modify Lawlor “wherein when installed by the customer the user software enables the personal computer to allow multiple customers of the business host to each

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select from different languages” so that the user interface of the screen of the home banking terminal is displayed in the user selected language in order to increase customer satisfaction by providing them with access to banking functions from the comfort of a remote location and with the convenience of being able to conduct transactions in each user's preferred language. Again, the step of installation is not explicitly performed within the scope of method claim 1 and the language capabilities are only made available “when” the software is installed. It is possible, within the scope of claim 1, that the software is never installed. If never installed, there is no requirement that the language capabilities be made available. Even if installed, the different language capabilities are only made available. The use of the software in multiple languages is not actively performed within the scope of claim 1 either. Nevertheless, as discussed above, Moss explains that a home terminal may emulate banking software in multiple languages (e.g., see fig. 17; col. 29, line 43 through col. 30, line 26 of Moss). In Moss, the user has to activate a session through the home terminal in order to download banking functionality from the host (Moss: col. 9, line 29 through col. 10, line 4). Moss' user would be a customer of the host. Again, the nature of who or what downloads the software within the scope of the claimed invention does not alter the claimed invention as a whole. Allowing various type of users to perform the download would facilitate convenience (e.g., for a customer of the host to quickly download the software without waiting for help). Additionally, Tarbox serves as further evidence that the concept of customizing a financial transaction screen to each individual user based on an identification of the user and his/her language preferences (as seen in col 1, lines

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50-61; col. 2, lines 55-65 of Tarbox) was old and well-known in the art of financial transactions. This further supports the assertion that the Lawlor-Moss combination to provide ATM transaction functionality at any location (including at a physical ATM or emulated on a customer's home computer/terminal) would have been obvious to one of ordinary skill in the financial transaction art at the time of Applicant's invention.

Providing software with user-specific language preferences would have yielded the predictable and expected results thereof (as discussed above), regardless of where the software is located and/or being utilized by a customer. The fact that a single ATM can service multiple customers in multiple different languages is analogous to the ability to service multiple customers in a household in multiple different languages. The location of the software does not affect how the software operates within the scope of the invention, as claimed.

Lawlor discloses:

[Claim 56] wherein when installed by the customer the user software enables the customer to configure the personal computer to use to a communication method with the server, the communication method available at the home of the customer (Fig. 1A; col. 6, lines 56-60; col. 8, lines 6-61; col. 9, line 55 through col. 10, line 23; col. 10, lines 44-53; col. 11, lines 22-42; col. 21, lines 19-46 – The ATM terminal sent to a customer functions as a personal computer and is, thus, effectively a type of personal computer within the scope of Lawlor).

Lawlor discloses:

[Claim 6] A method for performing financial transactions from a location remote from a business host comprising the steps of:

a) providing an automated teller machine (ATM) having a first user interface for display on a screen of the ATM (Fig. 1A; col. 6, lines 56-60; col. 8, lines 6-61; col. 9, line 55 through col. 10, line 23; col. 10, lines 44-53; col. 11, lines 22-42);

b) installing user software on a remote terminal, the remote terminal having a second user interface for display on a screen of the remote terminal, the second user interface is substantially identical to the first user interface (Fig. 1A; col. 6, lines 56-60; col. 8, lines 6-66; col. 9, line 55 through col. 10, line 23; col. 10, lines 44-53; col. 11, lines 22-42; col. 21, lines 11-46; col. 42, lines 18-38; Someone must have installed the software at some point);

d) establishing an electronic link between the remote terminal and a server (col. 7, lines 5-48; col. 11, lines 22-55; col. 21, lines 11-46); and

e) establishing an electronic link between the server and a business host (col. 7, lines 5-48; col. 11, lines 22-55; col. 21, lines 11-46).

Regarding claim 6, Lawlor does not explicitly disclose “wherein the user software when installed on the remote terminal enables the remote terminal to allow multiple users of the remote terminal to each select from different languages when accessing the remote terminal and enables configuration by the user of the remote terminal for a communication method available at a home of a user” and “c) configuring the user

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interfaces to display data in the language selected by a user.” Moss discloses a system that emulates remote banking functions on a home terminal using an intelligent terminal emulator. Based on the language determined to be preferred by the home user, the appropriate ATM-related software in the desired language is downloaded from the host and executed on the home banking terminal of each respective user (Fig. 17; col. 4, lines 26-59; col. 5, lines 6-60; col. 6, lines 45-48; col. 7, line 4 through col. 8, line 39; col. 14, lines 40-61; col. 17, line 60 through col. 18, line 5; col. 29, line 43 through col. 30, line 35). Both Lawlor and Moss seek to provide users with remote access to banking functions; therefore, the Examiner submits that it would have been obvious to one of ordinary skill in the remote banking art at the time of Applicant's invention to modify Lawlor such that “the user software when installed on the remote terminal enables the remote terminal to allow multiple users of the remote terminal to each select from different languages when accessing the remote terminal and enables configuration by the user of the remote terminal for a communication method available at a home of a user” and to perform the step of “c) configuring the user interfaces to display data in the language selected by a user” in order to increase customer satisfaction by providing them with access to banking functions from the comfort of a remote location and with the convenience of being able to conduct transactions in each user's preferred language. Again, the step of installation is not explicitly performed within the scope of method claim 6 and the language capabilities are only made available “when” the software is installed. It is possible, within the scope of claim 6, that the software is never installed. If never installed, there is no requirement that the language capabilities

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be made available. Even if installed, the different language capabilities are only made available. The use of the software in multiple languages is not actively performed within the scope of claim 6 either. Nevertheless, as discussed above, Moss explains that a home terminal may emulate banking software in multiple languages (e.g., see fig. 17; col. 29, line 43 through col. 30, line 26 of Moss). In Moss, the user has to activate a session through the home terminal in order to download banking functionality from the host (Moss: col. 9, line 29 through col. 10, line 4). Moss' user would be a customer of the host. Again, the nature of who or what downloads the software within the scope of the claimed invention does not alter the claimed invention as a whole. Allowing various type of users to perform the download would facilitate convenience (e.g., for a customer of the host to quickly download the software without waiting for help). Additionally, Tarbox serves as further evidence that the concept of customizing a financial transaction screen to each individual user based on an identification of the user and his/her language preferences (as seen in col 1, lines 50-61; col. 2, lines 55-65 of Tarbox) was old and well-known in the art of financial transactions. This further supports the assertion that the Lawlor-Moss combination to provide ATM transaction functionality at any location (including at a physical ATM or emulated on a customer's home computer/terminal) would have been obvious to one of ordinary skill in the financial transaction art at the time of Applicant's invention. Providing software with user-specific language preferences would have yielded the predictable and expected results thereof (as discussed above), regardless of where the software is located and/or being utilized by a customer. The fact that a single ATM can service multiple customers

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in multiple different languages is analogous to the ability to service multiple customers in a household in multiple different languages. The location of the software does not affect how the software operates within the scope of the invention, as claimed.

Lawlor discloses:

[Claim 7] authenticating the identity of a user by comparing a personal identification number (PIN) of a user with a PIN resident on the server (col. 9, line 53 through col. 10, line 2; col. 28, lines 1-11);

[Claim 8] encrypting and transmitting data between the remote terminal and the server (col. 21, lines 16-46; col. 27, line 38 through col. 28, line 11; col. 31, lines 59-65);

[Claim 9] in which the step of installing user software on a remote terminal is performed by installing the software on a personal computer (col. 8, lines 20-31; col. 19, lines 37-53; col. 21, lines 11-46 – The terminal comes with at least enough software/programming instructions to automatically dial the central processor system. Interaction with the central processor system implies that the terminal receives further programming instructions. The claim does not specify which user installed the software on the terminal. Someone must have installed the software at some point; Fig. 1A; col. 6, lines 56-60; col. 8, lines 6-61; col. 9, line 55 through col. 10, line 23; col. 10, lines 44-53; col. 11, lines 22-42 – The ATM terminal sent to a customer functions as a personal computer and is, thus, effectively a type of personal computer within the scope of Lawlor. Furthermore, *Ex parte Pfeiffer*, 135 USPQ 31 (BdPatApp&Int 1961) states, “As to the rejection of the claims on the prior art references, we do not agree with the

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appellant that such structural limitations as are not disclosed by the references should be given patentable weight. This argument is applicable to claims drawn to structure and not claims drawn to a method. **To be entitled to such weight in method claims**, the recited **structural limitations** therein **must affect the method** in a manipulative sense and not to amount to the mere claiming of a use of a particular structure, which, in our opinion, is the case here.” In the instant invention, the type of terminal used does not affect the manipulative steps of the method.);

[Claim 11] performing a financial transaction (col. 20, line 44 through col. 23, line 8);

[Claim 12] in which the step of performing a financial transaction is performed by editing a payee list (col. 42, line 60 through col. 43, line 24);

[Claim 13] in which the step of performing a financial transaction is performed by authorizing a direct debit (col. 21, line 53 through col. 22, line 60);

[Claim 14] in which the step of performing a financial transaction is performed by deleting a direct debit (col. 22, lines 16-21 -- A credit against a past POS debit is effectively the deletion of a direct debit);

[Claim 18] in which the step of performing a financial transaction is performed by reviewing account information (col. 20, line 16 through col. 23, line 8);

[Claim 20] in which the step of performing a financial transaction is performed by generating a transaction journal (col. 20, lines 44-53);

[Claim 21] in which the step of performing a financial transaction is performed by transferring assets from a first account selected from a plurality of accounts to second account selected from the plurality of accounts (col. 20, line 16 through col. 23, line 8);



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[Claim 22] exchanging the assets of the first account to a currency consistent with the second account (col. 20, line 16 through col. 23, line 8 – This is understood to occur for any transfer of funds among accounts. There is no requirement in the claim language that the currency of each account necessarily be distinct.);

[Claim 23] in which the step of performing a financial transaction is performed by ordering checks (col. 7, lines 64-56; col. 20, lines 62-66 -- Requesting bill payment through use of a check, including a paper or an electronic one, is effectively a type of check order);

[Claim 24] in which the step of performing a financial transaction is performed by printing an account statement (col. 7, lines 60-63);

[Claim 25] in which the step of performing a financial transaction is performed by printing a balance summary (col. 7, lines 60-63; col. 10, lines 24-26);

[Claim 26] in which the step of performing a financial transaction is performed by processing a payment (col. 20, line 16 through col. 23, line 8);

[Claim 27] in which the step of establishing an electronic link between the remote terminal and a server further comprises the steps of:

a) sending an authorizing message to the server (col. 21, lines 16-46; col. 27, line 38 through col. 28, line 11; col. 31, lines 59-65);

b) sending the authorizing message to a bank security server (col. 21, lines 16-46; col. 27, line 38 through col. 28, line 11; col. 31, lines 59-65);

c) sending the authorizing message to a bank hardware device (col. 21, lines 16-46; col. 27, line 38 through col. 28, line 11; col. 31, lines 59-65);

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[Claim 28] in which the step of establishing an electronic link between the server and a service provider further comprises the steps of:

a) sending an authorizing message to the business host (col. 21, lines 16-46; col. 27, line 38 through col. 28, line 11; col. 31, lines 59-65); and

b) sending a message from the business host to the server, in which the message authorizes hookup (col. 21, lines 16-46; col. 27, line 38 through col. 28, line 11; col. 31, lines 59-65);

[Claim 29] sending a marketing message from the business host to the remote terminal (col. 14, lines 10-16).

Lawlor discloses:

[Claim 30] A system for providing remote access to financial services comprising:

a) at least one business host (col. 7, lines 5-36; col. 11, lines 43-55; col. 19, lines 37-53);

b) a server selectively electronically linked to the business host (col. 7, lines 5-48; col. 11, lines 22-55; col. 21, lines 11-46);

c) at least one automated teller machine (ATM) having a first user interface displayed on a screen of the ATM, in which the ATM is electronically linked to the server (Fig. 1A; col. 6, lines 56-60; col. 8, lines 6-61; col. 9, line 55 through col. 10, line 23; col. 10, lines 44-53; col. 11, lines 22-42 – The ATM terminal sent to a customer functions as a personal computer and is, thus, effectively a type of personal computer within the scope of Lawlor.); and

d) at least one home banking terminal having a second user interface displayed on a screen of the home banking terminal, in which the home banking terminal is electronically linked to the server and in which the first and second user interfaces are substantially the same (col. 8, lines 6-66; col. 21, lines 11-46; col. 42, lines 18-38);

e) user software for installation by a customer on the at least one home banking terminal, and wherein the installed user software accesses the application software located on the server (col. 8, lines 20-31; col. 19, lines 37-53; col. 21, lines 11-46 – The terminal comes with at least enough software/programming instructions to automatically dial the central processor system. Interaction with the central processor system implies that the terminal receives further programming instructions. Someone must have installed the software at some point. A “customer” is just a label for a person. The claim does not specify whose customer the claimed customer is or how the method is affected by the nature of the person doing the installation itself; therefore, clarification of who installed the software does not impart significant patentable weight on the claimed invention).

Regarding claim 30, Lawlor does not explicitly disclose “wherein the user software allows multiple users of the at least one home banking terminal to each select from different languages” so that the user interface of the screen of the home banking terminal is displayed in the user selected language. Moss discloses a system that emulates remote banking functions on a home terminal using an intelligent terminal emulator. Based on the language determined to be preferred by the home user, the

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appropriate ATM-related software in the desired language is downloaded from the host and executed on the home banking terminal of each respective user (Fig. 17; col. 4, lines 26-59; col. 5, lines 6-60; col. 6, lines 45-48; col. 7, line 4 through col. 8, line 39; col. 14, lines 40-61; col. 17, line 60 through col. 18, line 5; col. 29, line 43 through col. 30, line 35). Both Lawlor and Moss seek to provide users with remote access to banking functions and Lawlor refers to multiple users accessing the network (Figs. 1, 1A, 2); therefore, the Examiner submits that it would have been obvious to one of ordinary skill in the remote banking art at the time of Applicant's invention to modify Lawlor "wherein the user software allows multiple users of the at least one home banking terminal to each select from different languages" so that the user interface of the screen of the home banking terminal is displayed in the user selected language in order to increase customer satisfaction by providing them with access to banking functions from the comfort of a remote location and with the convenience of being able to conduct transactions in each user's preferred language. Additionally, Tarbox serves as further evidence that the concept of customizing a financial transaction screen to each individual user based on an identification of the user and his/her language preferences (as seen in col 1, lines 50-61; col. 2, lines 55-65 of Tarbox) was old and well-known in the art of financial transactions. This further supports the assertion that the Lawlor-Moss combination to provide ATM transaction functionality at any location (including at a physical ATM or emulated on a customer's home computer/terminal) would have been obvious to one of ordinary skill in the financial transaction art at the time of Applicant's invention. Providing software with user-specific language preferences would have

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yielded the predictable and expected results thereof (as discussed above), regardless of where the software is located and/or being utilized by a customer. The fact that a single ATM can service multiple customers in multiple different languages is analogous to the ability to service multiple customers in a household in multiple different languages. The location of the software does not affect how the software operates within the scope of the invention, as claimed.

Lawlor discloses:

[Claim 57] wherein when installed by the customer, the user software enables the customer to configure the home banking terminal to use a communication method with the server, the communication method available at the home of the customer (Fig. 1A; col. 6, lines 56-60; col. 8, lines 6-61; col. 9, line 55 through col. 10, line 23; col. 10, lines 44-53; col. 11, lines 22-42; col. 21, lines 19-46).

Lawlor discloses:

[Claim 33] A system for providing remote access to financial services comprising:

a) at least one business host (col. 7, lines 5-36; col. 11, lines 43-55; col. 19, lines 37-53);

b) a server selectively electronically linked to the business host (col. 7, lines 5-48; col. 11, lines 22-55; col. 21, lines 11-46);

c) at least one automated teller machine (ATM) electronically linked to the server in which the ATM displays on a screen of the ATM a first user interface (Fig. 1A; col. 6,

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lines 56-60; col. 8, lines 6-61; col. 9, line 55 through col. 10, line 23; col. 10, lines 44-53; col. 11, lines 22-42);

d) at least one home banking terminal further comprising a user supplied platform and user software installed by a customer thereon in which the installed software enables the home banking terminal to display on a screen of the home banking terminal a second user interface (col. 9, line 53 through col. 10, line 2; col. 31, lines 50-58; Someone must have installed the software at some point. The claim does not specify how the method is affected by the nature of the person doing the installation itself; therefore, clarification of who installed the software does not impart significant patentable weight on the claimed invention. It is further noted that the function of actually installing the software is only conditionally performed, as evidenced by the “when” language);

e) in which the first and second user interfaces are substantially identical (Fig. 1; col. 5, lines 32-45; col. 6, lines 15-25) (col. 8, lines 6-66; col. 21, lines 11-46; col. 42, lines 18-38).

Regarding claim 33, Lawlor does not explicitly disclose that the customer is a customer of the business host and that each interface is displayed in a language selected by a user and “wherein said software enables the home banking terminal to allow multiple users to select different languages when accessing said at least one home banking terminal.” Moss discloses a system that emulates remote banking functions on a home terminal using an intelligent terminal emulator. Based on the

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language determined to be preferred by the home user, the appropriate ATM-related software in the desired language is downloaded from the host and executed on the home banking terminal of each respective user (Fig. 17; col. 4, lines 26-59; col. 5, lines 6-60; col. 6, lines 45-48; col. 7, line 4 through col. 8, line 39; col. 14, lines 40-61; col. 17, line 60 through col. 18, line 5; col. 29, line 43 through col. 30, line 35). Both Lawlor and Moss seek to provide users with remote access to banking functions; therefore, the Examiner submits that it would have been obvious to one of ordinary skill in the remote banking art at the time of Applicant's invention to modify Lawlor such that each interface is displayed in a language selected by a user and "wherein said software enables the home banking terminal to allow multiple users to select different languages when accessing said at least one home banking terminal" in order to increase customer satisfaction by providing them with access to banking functions from the comfort of a remote location and with the convenience of being able to conduct transactions in each user's preferred language. Again, the function of installation is only conditionally performed, as evidenced by the "when" language. It is possible, within the scope of claim 33, that the software is never installed. If never installed, there is no requirement that the language capabilities be made available. Even if installed, the different language capabilities are only made available. The use of the software in multiple languages is not actively performed within the scope of claim 33 either. Nevertheless, as discussed above, Moss explains that a home terminal may emulate banking software in multiple languages (e.g., see fig. 17; col. 29, line 43 through col. 30, line 26 of Moss). In Moss, the user has to activate a session through the home terminal in order to

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download banking functionality from the host (Moss: col. 9, line 29 through col. 10, line 4). Moss' user would be a customer of the host. Again, the nature of who or what downloads the software within the scope of the claimed invention does not alter the claimed invention as a whole. Allowing various type of users to perform the download would facilitate convenience (e.g., for a customer of the host to quickly download the software without waiting for help). Additionally, Tarbox serves as further evidence that the concept of customizing a financial transaction screen to each individual user based on an identification of the user and his/her language preferences (as seen in col 1, lines 50-61; col. 2, lines 55-65 of Tarbox) was old and well-known in the art of financial transactions. This further supports the assertion that the Lawlor-Moss combination to provide ATM transaction functionality at any location (including at a physical ATM or emulated on a customer's home computer/terminal) would have been obvious to one of ordinary skill in the financial transaction art at the time of Applicant's invention.

Providing software with user-specific language preferences would have yielded the predictable and expected results thereof (as discussed above), regardless of where the software is located and/or being utilized by a customer. The fact that a single ATM can service multiple customers in multiple different languages is analogous to the ability to service multiple customers in a household in multiple different languages. The location of the software does not affect how the software operates within the scope of the invention, as claimed.

Lawlor discloses:



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[Claim 58] wherein when installed by the customer, the user software enables the customer to configure the home banking terminal to use a communication method with the server, the communication method available at the home of the customer (Fig. 1A; col. 6, lines 56-60; col. 8, lines 6-61; col. 9, line 55 through col. 10, line 23; col. 10, lines 44-53; col. 11, lines 22-42; col. 21, lines 19-46).

Lawlor discloses:

[Claim 34] in which the user software further comprises:

a) a runtime application (col. 8, lines 20-31; col. 19, lines 37-53; col. 21, lines 11-46 – This is understood to be part of the software);

b) an installation program (col. 8, lines 20-31; col. 19, lines 37-53; col. 21, lines 11-46 – This is understood to be part of the software);

c) a configuration program (col. 8, lines 20-31; col. 19, lines 37-53; col. 21, lines 11-46 – This is understood to be part of the software);

d) a help program (col. 9, lines 41-46);

[Claim 35] in which the server further comprises:

a) a packet assembler/disassembler;

b) a session controller;

c) a customer activated terminal (CAT) terminal protocol interface;

d) a terminal application front end;

e) a CAT session manager;

f) a CAT common integrator;

- g) a secure encryption server;
- h) a secure encryption server;
- i) a host message normalizer;
- j) an X.25 normalizer; and
- k) at least one business application (Regarding a)-k), Fig. 1A; col. 6, lines 56-60; col. 8, lines 6-61; col. 9, line 55 through col. 10, line 23; col. 10, lines 44-53; col. 11, lines 22-42 of Lawlor disclose an ATM network that interconnects remote terminals, other computers, and ATMs. An ATM is a type of customer activated terminal (CAT). The terminals are set up to run like ATM machines, as seen in col. 42, lines 18-38 of Lawlor; therefore, they too effectively use the CAT protocol interface, session manager, integrator, etc. Lawlor utilizes the X.25 protocol along with packet assemblers and disassemblers (col. 17, lines 58-66). Typical X.25 components, such as a normalizer, would be included as well. When a user enters his/her PIN to access the banking network through the remote terminal, a session must be controlled. Network communications are encrypted, as seen in col. 21, lines 16-46; col. 27, line 38 through col. 28, line 11; col. 31, lines 59-65 of Lawlor.);

[Claim 36] in which the electronic links between the server and the business host, the ATM and the remote terminal are secure (col. 21, lines 16-46; col. 27, line 38 through col. 28, line 11; col. 31, lines 59-65);

[Claim 38] further comprising a router (col. 17, lines 43-53; col. 21, line 20 -- Dial-up telephone networks imply use of a router, especially when dealing with the Internet.);

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[Claim 39] in which the router is a small financial CAT gateway (Fig. 1A; col. 6, lines 56-60; col. 8, lines 6-61; col. 9, line 55 through col. 10, line 23; col. 10, lines 44-53; col. 11, lines 22-42 of Lawlor disclose an ATM network that interconnects remote terminals, other computers, and ATMs. An ATM is a type of customer activated terminal (CAT). The terminals are set up to run like ATM machines, as seen in col. 42, lines 18-38 of Lawlor; therefore, they too effectively use the CAT protocol interface, session manager, integrator, gateway, etc.);

[Claim 40] in which there are at least two business hosts where a first of the business hosts is a user's home institution and the second of the business hosts is an outside business provider (col. 21, lines 19-67);

[Claim 41] in which the business application allows the user to edit a payee list (col. 42, line 60 through col. 43, line 24);

[Claim 42] in which the business application allows the user to authorize a direct debit (col. 21, line 53 through col. 22, line 60);

[Claim 43] in which the business application allows the user to delete a direct debit (col. 22, lines 16-21 -- A credit against a past POS debit is effectively the deletion of a direct debit);

[Claim 47] in which the business application allows the user to review account information (col. 20, line 16 through col. 23, line 8);

[Claim 49] in which the business application allows the user to generate a transaction journal (col. 20, lines 44-53);

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[Claim 50] in which the business application allows the user to transfer assets from a first account selected from a plurality of accounts to second account selected from the plurality of accounts (col. 20, line 16 through col. 23, line 8);

[Claim 51] in which the business application allows the user to exchange the assets of the first account to a currency consistent with the second account (col. 20, line 16 through col. 23, line 8 – This is understood to occur for any transfer of funds among accounts. There is no requirement in the claim language that the currency of each account necessarily be distinct.);

[Claim 52] in which the business application allows the user to order checks (col. 7, lines 64-56; col. 20, lines 62-66 -- Requesting bill payment through use of a check, including a paper or an electronic one, is effectively a type of check order);

[Claim 53] in which the business application allows the user to print an account statement (col. 7, lines 60-63);

[Claim 54] in which the business application allows the user to print a balance summary (col. 7, lines 60-63; col. 10, lines 24-26);

[Claim 55] in which the business application allows the user to process a payment (col. 20, line 16 through col. 23, line 8).

7. Claims 4, 10, and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lawlor et al. (U.S. Patent No. 5,220,501) in view of Moss et al. (U.S. Patent No. 5,485,370) in view of Tarbox (U.S. Patent No. 5,705,798), as applied to claims 6 and 33 above, in view of Official Notice [now admitted prior art].

Lawlor discloses:

[Claim 4] A method for allowing a plurality of users to remotely access financial services of at least one service provider comprising the steps of:

a) installing user software on a plurality of remote terminals available to all users wishing to access the financial services, the plurality of remote terminals including a first terminal and a second terminal, wherein the second terminal is of a different type than the first terminal (Figs. 1, 1A, 2; col. 7, lines 5-48; col. 8, lines 20-31; col. 11, lines 22-55; col. 19, lines 37-53; col. 21, lines 11-46 -- The terminal comes with at least enough software/programming instructions to automatically dial the central processor system. Interaction with the central processor system implies that the terminal receives further programming instructions. Someone must have installed the software at some point. ATMs, remote terminals, and other computers are all connected to the network and facilitate financial services);

b) allowing multiple users of the plurality of remote terminals to configure the user software to reflect each user's preferences and to configure a communication method of the user's terminal with a standard international host in accordance with communication methods available at the user's home (col. 9, line 53 through col. 10, line 2; col. 21, lines 19-46 -- The ATM network may be an Internet network, which is a standard international host; col. 42, lines 18-38; col. 31, lines 50-58 -- A PIN identifies each user, so that the system knows which account information to access. A user may only view his/her assigned account information.);

c) providing a uniform connection between the remote terminals to the standard international host, the uniform connection including a uniform user interface for each user on screens of the first terminal and the second terminal (col. 21, lines 19-46 -- The ATM network may be an Internet network, which is a standard international host; col. 42, lines 18-38);

d) providing a plurality of business applications resident on the standard international host, in which the configuration of each of the applications is controlled at the standard international host and wherein the plurality of business applications can be accessed by the user software (col. 19, line 20 through col. 23, line 8);

e) linking the standard international host to the service provider (col. 19, line 20 through col. 23, line 8 -- The ATM network may be an Internet network, which is a standard international host.);

f) providing secure communication between the user, the standard international host and the service provider (col. 21, lines 16-46; col. 27, line 38 through col. 28, line 11; col. 31, lines 59-65);

g) providing enhanced error detection and correction for communications between the user, the standard international host and the service provider (col. 45, lines 12-63).

Regarding claim 4, Lawlor does not explicitly disclose “wherein the [configured user] preferences include a language.” Moss discloses a system that emulates remote banking functions on a home terminal using an intelligent terminal emulator. Based on

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the language determined to be preferred by the home user, the appropriate ATM-related software in the desired language is downloaded from the host and executed on the home banking terminal of each respective user (Fig. 17; col. 4, lines 26-59; col. 5, lines 6-60; col. 6, lines 45-48; col. 7, line 4 through col. 8, line 39; col. 14, lines 40-61; col. 17, line 60 through col. 18, line 5; col. 29, line 43 through col. 30, line 35). Both Lawlor and Moss seek to provide users with remote access to banking functions; therefore, the Examiner submits that it would have been obvious to one of ordinary skill in the remote banking art at the time of Applicant's invention to modify Lawlor "wherein the [configured user] preferences include a language" in order to increase customer satisfaction by providing them with access to banking functions from the comfort of a remote location and with the convenience of being able to conduct transactions in each user's preferred language. Additionally, Tarbox serves as further evidence that the concept of customizing a financial transaction screen to each individual user based on an identification of the user and his/her language preferences (as seen in col 1, lines 50-61; col. 2, lines 55-65 of Tarbox) was old and well-known in the art of financial transactions. This further supports the assertion that the Lawlor-Moss combination to provide ATM transaction functionality at any location (including at a physical ATM or emulated on a customer's home computer/terminal) would have been obvious to one of ordinary skill in the financial transaction art at the time of Applicant's invention. Providing software with user-specific language preferences would have yielded the predictable and expected results thereof (as discussed above), regardless of where the software is located and/or being utilized by a customer. The fact that a single ATM can

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service multiple customers in multiple different languages is analogous to the ability to service multiple customers in a household in multiple different languages. The location of the software does not affect how the software operates within the scope of the invention, as claimed.

Regarding claim 4, Lawlor does not explicitly disclose h) providing data compression for communications between the user, the standard international host and the service provider; however, Official Notice is taken that it was old and well-known in the art of data transmission at the time of Applicant's invention to compress data for communications [now admitted prior art]. Data compression decreases the amount of system resources (e.g., bandwidth) required to transmit data. Therefore, the Examiner submits that it would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to modify Lawlor to perform h) providing data compression for communications between the user, the standard international host and the service provider in order to reduce the amount of system resources (e.g., bandwidth) required to transmit data.

[Claim 10] Lawlor does not explicitly disclose that the step of installing user software on a remote terminal is performed by installing the software on a personal data assistant; however, Official Notice is taken that the use of personal data assistants was old and well-known in the software art at the time of Applicant's invention [now admitted prior art]. Similar to Lawlor's remote terminal and other disclosed computers, a personal data assistant is a similar programmed device. One of ordinary skill in the software art



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would have easily known how to substitute a personal data assistant to function similarly as the remote terminal and other disclosed computers in Lawlor. The results of substituting the personal data assistant accordingly would have also been predictable since a personal data assistant is merely another type of software processing device.

[Claim 37] Lawlor discloses that enhanced error detection and correction are used to preserve the integrity of the data being transmitted (col. 45, lines 12-63), yet Lawlor does not explicitly disclose that the electronic links between the server and the business host, the ATM and the remote terminal carry data transmissions in which at least some of the data transmissions are compressed. However, Official Notice is taken that it was old and well-known in the art of data transmission at the time of Applicant's invention to compress data for communications [now admitted prior art]. Data compression decreases the amount of system resources (e.g., bandwidth) required to transmit data. Therefore, the Examiner submits that it would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to modify Lawlor such that the electronic links between the server and the business host, the ATM and the remote terminal carry data transmissions in which at least some of the data transmissions are compressed in order to reduce the amount of system resources (e.g., bandwidth) required to transmit data.

8. Claims 15-17, 19, 44-46, and 48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lawlor et al. (U.S. Patent No. 5,220,501) in view of Moss et al. (U.S.

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Patent No. 5,485,370) in view of Tarbox (U.S. Patent No. 5,705,798), as applied to claims 6, 11, 33, and 35 above, and further in view of Citibank's Direct Access banking service (as disclosed in Munroe, Tony. "Citibank Offers Service Link Through Computers at Home." Washington Times, Washington, D.C., Section B, page 7, November 10, 1994).

[Claims 15-17, 19, 44-46, 48] Lawlor does not explicitly disclose that the step of performing a financial transaction is performed by purchasing a mutual fund (claims 15, 44), selling a mutual fund (claims 16, 45), selecting a mutual fund and reviewing a mutual fund (claims 17, 46), or reviewing securities information (claims 19, 48); however, (similar to Lawlor) Citibank's Direct Access banking service allows user to perform banking services from home. One such service involves the ability to "buy and sell stocks and mutual funds" through a home banking terminal (Citibank: page 1). This Citibank service provides increased convenience to home banking customers (e.g., "Citibank now wants to save customers the trouble of writing checks and balancing checkbooks by providing an array of at-home banking services" -- see page 1 of Citibank). The Examiner submits that it would have been obvious to one of ordinary skill in the home banking art at the time of Applicant's invention to modify Lawlor to additionally facilitate financial transactions that include purchasing a mutual fund (claims 15, 44), selling a mutual fund (claims 16, 45), selecting a mutual fund and reviewing a mutual fund (claims 17, 46), or reviewing securities information (claims 19, 48) in order to provide increased convenience and improved customer service for their customers.

***Conclusion***

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to SUSANNA M. DIAZ whose telephone number is (571)272-6733. The examiner can normally be reached on Monday-Friday, 8 am - 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jason Dunham can be reached on (571) 272-8109. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Susanna M. Diaz/  
Primary Examiner, Art Unit 3684